UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

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GERRY E. BINGAMAN, et al.

Case No. C-1-01-707

J. Weber

Plaintiffs,

PLAINTIFFS' NOTICE OF APPEAL

THE PROCTER & GAMBLE **COMPANY**

VS.

Defendant.

Notice is hereby given that Plaintiffs Gerry Bingaman and Annie Brantley appeal to the United States Court of Appeals for the Sixth Circuit from the Judgment entered on March 30, 2004.

Respectfully submitted.

George M. Reul, Jr. (0069992) Randolph H. Freking (0009158) Trial Attorneys for Plaintiff FREKING & BETZ 215 East Ninth Street, Fifth Floor Cincinnati, OH 45202 513-721-1975

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Michael S. Glassman and Trina Walton, Attorneys for Defendant P&G, DINSMORE & SHOHL, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202 by regular U.S. Mail this 28 day of April, 2004.